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TECH CENTER 1600/2900 PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

(Case No. MBHB00,884-H; 500.001)

In the Application of:

Breaker, et al.

Serial No. 09/780,929

Filed: February 8, 2001

For: NUCLEIC ACID CATALYSTS WITH  
ENDONUCLEASE ACTIVITY

Before the Examiner: *Suppl.*

Group Art Unit: 1645 *I.D.S.*

Assistant Commissioner for Patents  
Washington, D.C. 20231

Commissioner for Patents  
Washington, D.C. 20231

**SUPPLEMENTAL  
INFORMATION DISCLOSURE STATEMENT**

Dear Sir:

Pursuant to the duty of disclosure provided by 37 C.F.R. §1.56 and §§1.97-98, the applicants wish to make the following reference of record in the above-identified application. The reference attached herein was cited in the IDS filed on January 24, 2002, but was inadvertently omitted from said submission. A copy of the reference is enclosed. A copy is also listed in the PTO-1449 form enclosed herewith. It is requested that the document be given careful consideration and that it be cited of record in the prosecution history of the present application so that it will appear on the face of the patent issuing from the present application.

In the judgment of the undersigned, portions of the reference may be material to the examination of the pending claims, however no such admission is intended. 37 C.F.R. §1.97 (h). The reference has not been reviewed in sufficient detail to make any other representation and, in particular, no

representation is intended as to the relative importance of any portion of the references. This Statement is not a representation on that the cited reference has effective dates early enough to be "prior art" within the meaning of 35 U.S.C. §§102 or 103.

### **CITED REFERENCES**

### **OTHER DOCUMENTS**

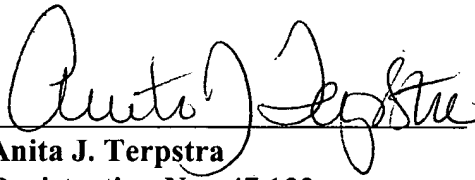
No.	
31	Castanotto et al., "Intracellular Expression and Function of Antisense Catalytic RNAs," <i>Methods Enzymol</i> , 313:401-20, 2000

In accordance with MPEP Sections 609 and 707.05(b), it is requested the document cited (including any cited in applicant's specification which is not repeated on the attached Form PTO-1449) be given thorough consideration and that it be cited of record in the prosecution history of the present application by initialing on Form PTO-1449. Such initialing is requested even if the Examiner does not consider a cited document to be sufficiently pertinent to use in a rejection, or otherwise does not consider it to be prior art for any reason, or even if the Examiner does not believe that the guidelines for citation have been fully complied with. This is requested so that the document becomes listed on the face of the patent issuing on the present application.

Respectfully submitted,

**McDonnell Boehnen Hulbert & Berghoff**

Date: February 11, 2002

By:   
**Anita J. Terpstra**  
**Registration No. 47,132**

Form PTO-1449

U.S. Department of Commerce  
Patent and Trademark OfficeAtty. Docket No. 00-884-H  
RPI No. 500.001

Serial No. 09/780,929

SUPPLEMENTAL  
INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT

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Applicant: Breaker et al.

TECH CENTER 1600/2900

Filing Date: February 8, 2001

Group: 1635

## OTHER DOCUMENTS - Including Author, Title, Date, Peterinet Pages, Etc.

Examiner Initials	No.	
	31	Castanotto et al., "Intracellular Expression and Function of Antisense Catalytic RNAs," <i>Methods Enzymol</i> , 313:401-20, 2000

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication.

McDonnell Boehnen Hulbert & Berghoff  
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MBHB00,884-H  
RPI NO. 500.001  
S/N: 09/780,929  
Filing Date: 02/08/01

1635



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Before the Examiner:

Group Art Unit: 1635

Commissioner of Patents  
Washington, D.C. 20231

TRANSMITTAL LETTER

1. We are transmitting herewith the attached papers for the above-identified patent application:

- ☒ Supplemental Information Disclosure Statement;
- ☒ Supplemental Information Disclosure Statement Form PTO-1449;
- ☒ Copies of IDS Citations for S/N 09/780,929 (Total 0 patents, 0 foreign patents and 1 other document); and
- ☒ Return Receipt Postcard.

2. With respect to additional fees:

- ☒ No additional fee is required.

3. **GENERAL AUTHORIZATION TO CHARGE OR CREDIT FEES:** Please charge any additional fees or credit overpayment to Deposit Account No. 13-2490. A duplicate copy of this sheet is enclosed.

4. **CERTIFICATE OF MAILING UNDER 37 CFR § 1.8:** The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1 hereinabove, are being deposited with the United States Postal Service with sufficient postage as "First Class Mail" in an envelope addressed to Commissioner for Patents, Washington, D.C. 20231, on February 5, 2002.

By:

Anita J. Terpstra

Registration No. 47,132